

REMARKS

Applicants have reviewed the Office Action dated as mailed April 29, 2008 and the documents cited therewith. Claims 1, 4-7, 11-12, 14, 20, 28, 30, and 34 have been amended herein. Claims 2-3, 8-9, 15, and 17 have been cancelled herein. Claim 39 has been newly added. The present application contains pending claims 1, 4-7, 10-14, 16, and 18-39.

I. Claim Rejections under 35 U.S.C. §112

Applicants wish to thank the Examiner and the Supervisory Examiner for their time and information in the Examiner Interview on Thursday August 7th. During the interview, claims 1 and 12 were discussed. The Examiner indicated that the claim amendments made would require a new search and that the Examiner would give a courtesy call to the undersigned Applicant upon completion of the search but before a Final Office Action is written in order to assist this case to allowance.

II. Claim Rejections under 35 U.S.C. §112

Claims 20 and 28 were rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite. Applicants respectfully disagree and traverse this rejection. However, Applicants have amended claims 20 and 28 to recite a “central processing unit” in order to move this case closer to allowance. Applicants submit that such claim amendment particularly points out and distinctly claims the subject matter which Applicants regard as their invention. As such, reconsideration and withdrawal of the Section 112 rejection is hereby requested

III. Claim Rejections under 35 U.S.C. §102

Claims 1-38 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent Application Publication 2002/0038273 by Wherry et al. (hereinafter “Wherry”). This rejection is respectfully traversed. Claim 1, as amended, recites:

reviewing a status of at least one creditor at predetermined time intervals, wherein each of the at least one creditor having an outstanding loan from an entity;
identifying at least one status indicator for a creditor;

- selecting the creditor to review;
- generating a series of inquiries with reference to the creditor, wherein the series of inquires comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator;
- presenting the inquires to a user associated with the entity;
- determining a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor;
- determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number, wherein the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt; and
- conducting a key risk review in response determining that a key risk review is necessary, wherein the key risk review comprises reviewing actions to reduce exposure or loss.

In contrast, Wherry merely discloses a system for investment integration to allow disparate investment tools to communicate with each other, and discloses that alerts can be provided when certain criteria of stock investment parameters are met (*see* Abstract of Wherry). However, there is no disclosure in Wherry of “reviewing a status of at least one creditor at predetermined time intervals, wherein each of the at least one creditor having an outstanding loan from an entity,” as recited in claim 1. Wherry only deals with investment securities, such as stocks, and is not applied to or even mention creditors having an outstanding loan from an entity. Further, Wherry does not discuss managing loans. Since Wherry does not discuss creditors or managing loans to creditors, Wherry does not disclose “identifying at least one status indicator for a creditor” or “selecting the creditor to review,” both of which are recited in claim 1 above. Further, there is no disclosure in Wherry of “generating a series of inquiries with reference to the creditor, wherein the series of inquires comprises a series of questions designed to elicit information related to at least one of the creditor and a status indicator.” Wherry merely discusses automatically generating an alert once criteria is met, but does not disclose generating a series of inquires for a user to respond to. In fact, Wherry actually teaches away from such inquires because the purpose in Wherry is to “remov[e] from the investment manager the tedious tasks of . . . data input.” Since the series of inquiries is data input, a user is involved in the process of claim 1 and thus, Wherry explicitly teaches away from claim 1 and one skilled in the art would not look to Wherry in coming up with the claimed invention. As such, Wherry certainly does not teach “presenting the inquires to a user associated

with the entity,” as recited in claim 1. Next, Wherry does not determine “a quantity of triggers flagged for the selected creditor based on the responses to the inquiries with reference to the creditor.” Wherry is only concerned with a single alert and thus does not determine a quantity of triggers and certainly does not determine the quantity based on response to the inquiries that were presented to the user. Yet further, Wherry does not disclose the step of “determining if a key risk review is necessary for the creditor in response to the quantity of flagged triggers being greater than a predetermined number, where the key risk review is determined to be necessary if the selected creditor corresponds to a predetermined loss to the entity in the event the creditor becomes bankrupt.” There is no disclosure in Wherry of such a key risk review, and there is no disclosure of determining if a review is necessary if the creditor corresponds to a loss to the entity in the event of bankruptcy. Wherry does not even mention the term bankruptcy. For all of the above reasons, Applicants submit that claim 1 is patentable over Wherry and reconsideration and withdrawal of the Section 102 rejection is respectfully requested.

Regarding the rejection of claims 4-7 and 10-11 under 35 U.S.C. § 102 as being unpatentable over Wherry, these claims recite additional features which further patentably distinguish over Wherry. For example, regarding the rejection of claim 11, claim 11 has been amended to recite “performing an exposure review that determines how much is at stake if the outstanding loan becomes at least partially uncollectable in response to the quantity of flagged triggers being greater than the predetermined number and a key risk review not being performed.” There is no disclosure in Wherry of such claim feature. For example, there is no disclosure in Wherry to determine how much is at stake if an outstanding loan becomes at least partially uncollectable. Therefore, claim 11 is submitted to be patentably distinguishable over Wherry, and reconsideration and withdrawal of the Section 102 rejection of claim 11 is respectfully requested.

Additionally, claims 4-7 and 10-11 depend either directly or indirectly from independent claim 1. Because of this dependency, claims 4-7 and 10 include all of the features of independent claim 1. Therefore, claims 4-7 and 10-11 are also submitted to be patentably distinguishable over Wherry, and reconsideration and withdrawal of the Section 102 rejection of claims 4-7 and 10-11 is respectfully requested.

With regard to independent claim 12, claim 12, as amended, recites features similar to amended claim 1. Accordingly, claim 12 is respectfully submitted to be patentable over Wherry for

the same reasons as discussed with respect to claim 1. Reconsideration and withdrawal of the section 102 rejection of claim 12 is respectfully solicited.

Regarding the rejection of claims 13-14, 16, 18 and 19 under 35 U.S.C. § 102 as being unpatentable over Wherry, these claims recite additional features which further patentably distinguish over Wherry. For example, claim 14 recites:

- “electronically determining any change in a Standard and Poor's (S&P) bond rating for the selected creditor by a predetermined number of grades;

- electronically determining any change in a Moody's rating for the selected creditor by a predetermined number of grades;

- electronically determining any change in a credit default swap spread for the selected creditor by a predetermined number of basis points in a predetermined time period;

- electronically determining any change in a bond spread for the selected creditor by a predetermined number of basis points in a predetermined time period;

- determining if the creditor has a broken or defective business model;

- determining if the creditor's industry is experiencing any downturn;

- determining any impact of any recent event on the creditor; and

- determining a nature or demeanor of the creditor's management.’

Claim 14 was rejected by citing either paragraph [0078] or [0079] of Wherry. However, Applicants respectfully submits that none of these paragraphs disclose any of the specific disclosed features of the claim. For example, one element of claim 14 includes “electronically_determining any change in a Moody's rating for the selected creditor by a predetermined number of grades” and paragraph [0078] was cited. However, Applicants can't find anywhere in such paragraph where the “change in Moody's rating” is disclosed or even mentioned. This is a specific claim feature that must be taught in the prior art in order to reject the claim. By way of another example, claim 14 recites “determining if the creditor has a broken or defective business model.” There is simply no disclosure at all in Wherry of such claimed element. There is no mention of a business model being analyzed. Applicants respectfully requests reconsideration

Additionally, claims 13-14, 16, 18 and 19 depend either directly or indirectly from independent claim 12. Because of this dependency, claims 4-7 and 10 include all of the features of independent claim 12. Therefore, claims 13-14, 16, 18 and 19 are also submitted to be patentably

distinguishable over Wherry, and reconsideration and withdrawal of the Section 102 rejection of claims 13-14, 16, 18 and 19 is respectfully requested.

With regard to independent claims 20, 28 and 34, these claims, as amended, recite features similar to amended claim 1. Accordingly, claims 20, 28 and 34 are respectfully submitted to be patentable over Wherry for the same reasons as discussed with respect to claim 1. Reconsideration and withdrawal of the section 102 rejection of claims 20, 28 and 34 is respectfully solicited.

With respect to claims 21-27, 29-33 and 35-38, claims 21-27 depend from independent claim 20; claims 29-33 depend from independent claim 28; and claims 35-38 depend from independent claim 34. Because of these dependencies, claims 21-27, 29-33 and 35-38 include all of the features of the referenced independent claims. As discussed above, Applicant respectfully submits that independent claims 20, 28 and 34 are patentable over Wherry. As such, Applicant respectfully submits that claims 21-27, 29-33 and 35-38 are also patentably distinguishable over Wherry for the same reasons, and reconsideration and withdrawal of the 35 U.S.C. §102 rejections of claims 21-27, 29-33 and 35-38 is respectfully requested.

IV. New Claim

Claim 39 has been newly added. Wherry does not disclose such claim features. As such, Applicants submits that claim 39 is distinguishable over the prior art and thus, is allowable.

Conclusion

For the foregoing reasons, the Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully requested.

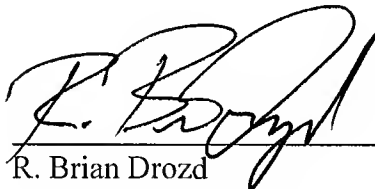
If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

Date: _____

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